

**REMARKS**

In the Office action dated February 25, 2005, claims 1-3 were rejected as indefinite failing to comply with the enablement requirement. In view of the foregoing amendments and the following remarks, the rejections are respectfully traversed and reconsideration of this application is respectfully requested.

As an initial matter, clarifying amendments to the specification and abstract have been made. The applicant respectfully submits that no new subject matter has been added by these amendments. The applicant further submits that the clarifying amendments have overcome the objections to the specification.

The applicant respectfully submits that the objection to the drawings has been overcome by the clarifying amendments. In particular, a plurality of first contact plugs is formed, as shown in the drawings and recited by the claims, wherein each of the plurality of first contact plugs is connected to the upper electrode or the bottom electrode. As shown, for example, in FIG. 4, two of the contact plugs are connected to the upper electrode and two are connected to the bottom electrode. Therefore, it is respectfully submitted that all features recited in the claims are shown in the figures and that the objection to the drawings have been overcome.

Turning to the rejections under 35 USC § 112, the applicant respectfully submits that the amended claims comply with the enablement requirement. In particular, claim 1 does not recite that both electrodes of the capacitor are connected through or to the same contact plug. Rather, as recited in claim 1 and shown in FIGS. 4-5D, a plurality of contact plugs are connected to either of the upper electrode or the bottom electrode. In other words, the two

electrodes of the capacitor are connected to different contact plugs. It is respectfully submitted that for at least the reasons above, claims 1-3 comply with the enablement requirement.

Regarding the indefiniteness rejections of claims 1-3, the applicant respectfully submits that the amended claims distinctly claim the subject matter regarded as the invention. In particular, claim 1 recites that each of a plurality of first contact plugs is electrically connected to either the bottom or the upper electrodes. Therefore, the contact plugs are not connected to both the bottom and an upper electrode. Accordingly, a charge accumulation can occur because the upper and bottom electrodes are not electrically connected (i.e., shorted).

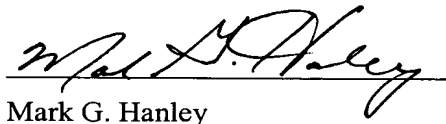
Further, the applicant respectfully submits that the planarization operation recited in claim 3 does create contact plugs. Claim 3 recites, *inter alia*, "successively depositing the first and second metal layers on the second insulating layer including the second via holes; forming anti-fuses and third contact plugs in the second via holes by planarizing the first and second metal layers with the second insulating layer." Prior to planarizing, the first and second metal layers are disposed on the semiconductor substrate including the interior of the second via holes. Planarizing removes portions of the first and second metal layers leaving some parts the first and second metal layers disposed in the second via hole. These metal layers are the anti-fuse and the third contact plug. It is respectfully submitted that while the metal layers are formed prior to planarizing, it is the planarizing operation that actually forms the final, functional contact plug structure. Therefore, the contact plugs are formed by the planarizing operation. Thus, it is respectfully submitted that, for at least the forgoing reasons, the rejections of claims 1-3 as indefinite have been overcome.

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For at least the forgoing reasons, it is respectfully submitted that claims 1-3 are in condition for allowance. If, for any reason, the examiner is unable to allow the application in the next official action, the examiner is encouraged to telephone the undersigned attorney at the telephone number listed below.

Respectfully submitted,  
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